

GRUBBS III

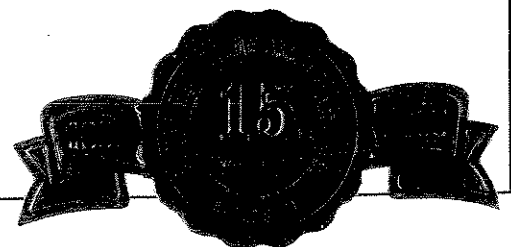
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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4
5
6

7 AARON GRUBBS,)
8 Plaintiff,) CIVIL ACTION NO.:
9 Vs.) 2:05-CV-604
10 CITY OF EUFAULA, ALABAMA,)
11 Defendant.)
12
13
14

15 The video deposition of AARON GRUBBS
16 taken pursuant to the Federal Rules of Civil
17 Procedure before Karen D. Strickland, Court
18 Reporter and Notary Public, State at Large, at
19 the law offices of Cobb, Shealy, Crum & Derrick,
20 206 North Lena Street, Dothan, Alabama, on the
21 21st day of November, 2005, commencing at
22 approximately 9:00 a.m.
23



1 A. Correct.

2 Q. I asked you in your other deposition
3 about some lawsuits you've filed, and I have
4 since then typed up this list which I'm going to
5 mark as Defendant's Exhibit 1. Is that a list
6 of the past lawsuits that you have filed?

7 A. Yes, sir.

8
9 (Whereupon, Defendant's Exhibit 1
10 was marked for identification and
11 same is attached hereto.)
12

13 Q. Where are you currently employed?

14 A. I work for the Clayton Police
15 Department.

16 Q. When I last took your deposition I
17 believe you had just started at Clayton; is that
18 right?

19 A. That's correct.

20 Q. Have you worked at Clayton
21 continuously since you started there?

22 A. Yes.

23 Q. We'll put this away. I just wanted to

1 breeze through that.

2 What was your start date in Clayton?

3 A. It was in July.

4 Q. 2005?

5 A. I was part-time in July. I was just
6 working part-time. I became full-time.

7 Q. And when did you become full-time?

8 A. I think it was in September, I
9 believe.

10 Q. September 2005?

11 A. Yes.

12 Q. Did you leave the Brundidge Police
13 Department once and for all at a certain point?

14 A. Yes.

15 Q. When was that?

16 A. It was sometime in September.

17 Q. So you had started with the Brundidge
18 Police Department around the beginning of May?

19 A. May 3rd.

20 Q. May 3rd?

21 A. 2004.

22 Q. 2004. You stayed with the Brundidge
23 Police Department from May 3rd, 2004 until

1 September 2005?

2 A. Yes.

3 Q. While you were with the Brundidge
4 Police Department you also had a couple of
5 part-time jobs as a police officer?

6 A. That's right.

7 Q. One of those was Clio?

8 A. Clio.

9 Q. And then the other one was Clayton?

10 A. Right.

11 Q. And then you went from part-time to
12 full-time at Clayton?

13 A. That's correct.

14 Q. Besides Clio, Clayton, Brundidge --
15 well, those are the only three. Besides Clio,
16 Clayton, and Brundidge, have you worked anywhere
17 else since you left the Town of Louisville?

18 A. No.

19 Q. Not even for a brief period of time?

20 A. No. Not that I can remember, no.

21 Q. What were you making per hour in
22 Brundidge?

23 A. I was making 9.99.

1 Q. Were you earning some overtime?

2 A. Three hours every two weeks.

3 Q. That was court overtime?

4 A. Yes.

5 Q. Were you working 40 hours a week?

6 A. Yes.

7 Q. So you had your 40 hours a week, and
8 then every two weeks you would get an additional
9 three hours?

10 A. Right.

11 Q. What are you making in Clayton now?

12 A. 11.69.

13 Q. How many hours are you working?

14 A. 40 hours a week.

15 Q. 40 hours a week?

16 A. Yes.

17 Q. Are you getting some overtime in
18 Clayton?

19 A. Yes.

20 Q. How much?

21 A. Anywhere from 25 to 30 hours every two
22 weeks.

23 Q. I'm going to guess that that's just a

1 A. No, not very much.

2 Q. That's what you're telling me though,
3 is the reason?

4 A. Yes.

5 Q. You didn't like working by yourself?

6 A. That's correct.

7 Q. On October 13th, 2004, you were
8 employed by the Brundidge Police Department?

9 A. That's correct.

10 Q. You were making 9.99 an hour?

11 A. Right.

12 Q. You applied for a job with the Eufaula
13 Police Department?

14 A. That's correct.

15

16 (Whereupon, Defendant's Exhibit 2
17 was marked for identification and
18 same is attached hereto.)

19

20 Q. Is Exhibit 2 a copy of your
21 application?

22 A. This is it, yes.

23 Q. That is your application?

1 Q. You expected to make more than 9.99 an
2 hour, but did you actually know what the City of
3 Eufaula paid as a starting rate?

4 A. No, I didn't. Some of the officers
5 had told me it was around 10.30, \$11 an hour.
6 Just depends on the qualification.

7 Q. You expected that you could make as
8 much as \$11 an hour by getting a job with the
9 Eufaula Police Department?

10 A. Well, I didn't really know exactly
11 what they was paying, so I can't really
12 speculate on it. But the thing about it, I knew
13 I would have been doing better, because, like I
14 say, it was shorter, it was going to cost me a
15 lot less gas, and basically I knew I would come
16 out better working for Eufaula than Brundidge.

17 Q. How far do you live from the City of
18 Eufaula?

19 A. No more than 14, 15 miles.

20 Q. How far were you living from
21 Brundidge?

22 A. Probably about 30 -- about
23 30-something miles.

1 Q. What did you talk to Mr. Gilbert
2 about?

3 A. Well, we talked about a job. I told
4 him what I -- you know, he knew I had been to
5 the academy and all. And he asked me -- he
6 said, Why don't you come over here and work for
7 Eufaula, it's a lot less. I had been telling
8 him about the gas, how much, you know. He said,
9 Well, why don't you come work for Eufaula, we
10 got about 10, 12 openings. So I went over there
11 and applied for it.

12 Q. Did he tell you whether he liked
13 working in Eufaula or not?

14 A. No, he really didn't.

15 Q. But he encouraged you to apply?

16 A. Yes.

17 Q. Is Bobby Gilbert a white male or a
18 black male?

19 A. Black male.

20 Q. And he was already working as a police
21 officer in Eufaula?

22 A. Yes.

23 Q. Did he tell you that he had any

1 department and filled out an application.

2 Q. So you personally went to the City of
3 Eufaula?

4 A. Correct.

5 Q. You went to the personnel department
6 at the City of Eufaula?

7 A. Right.

8 Q. You requested a job application?

9 A. True.

10 Q. You were provided a blank application
11 form?

12 A. Right.

13 Q. You personally filled it out?

14 A. True.

15 Q. Did you take it home or did you fill
16 it out there?

17 A. Filled it out there.

18 Q. Did you hand it back to them there or
19 did you take it home and think about it?

20 A. No, I handed it to Mr. Erkins.

21 Q. You gave it to Mo Erkins?

22 A. Mo Erkins.

23 Q. Did you have a conversation with Mr.

1 employees between the time period beginning with
2 your second conversation with Mr. Erkins and
3 ending with your third?

4 A. I think that's it.

5 Q. You can't remember any?

6 A. No, I can't remember any.

7 Q. After your third conversation with Mr.
8 Erkins, did you have any other conversations
9 with any City of Eufaula employees?

10 A. Not that I remember.

11 Q. Have you ever had a conversation with
12 Eufaula police chief Kenneth Walker?

13 A. No, I have not.

14 Q. Have you ever met Chief Walker?

15 A. No, I don't believe I have.

16 Q. Would you know Chief Walker if you saw
17 him today?

18 A. By face, yes. Yes, I would -- most
19 likely I think I would know him.

20 Q. How would you recognize his face?

21 A. Well, I've been in the police
22 department and I've heard, you know, the
23 dispatchers and things call him up, you know,

1 and I've seen him come in. But just far as
2 meeting him, no.

3 Q. So far as you know, he doesn't know
4 you?

5 A. No, not that I know of.

6 Q. Besides the conversations you've told
7 me about, did you give anything else to the City
8 of Eufaula in writing except for your
9 application?

10 A. That's all I believe I gave them.

11 Q. So the only written document you
12 submitted or sent or gave to the City of Eufaula
13 was Defendant's Exhibit 2?

14 A. Yes.

15 Q. In other words, you didn't write any
16 letters?

17 A. No.

18 Q. You didn't send any e-mails?

19 A. No.

20 Q. Did you ever receive any written
21 documents from the City of Eufaula or any of its
22 employees?

23 A. No, I didn't.

1 half of that two-year period of work out of you?

2 A. The work, right.

3 Q. Does your application indicate your
4 race anywhere on there?

5 A. My what now?

6 Q. Your race?

7 A. I don't know, I didn't -- no, it
8 don't, I don't guess.

9 Q. In other words, race is not
10 information that was provided on the
11 application?

12 A. No, it's not.

13 Q. Did you provide your race to the
14 Eufaula Police Department in any -- by any means
15 in conjunction with your application?

16 A. No, only just me being there in
17 person.

18 Q. Well, you didn't speak to the police
19 department in person, did you? You spoke to Mr.
20 Erkins?

21 A. No, I didn't, not at that time, no.
22 But I had been to that police department several
23 times.

1 A. No, sir, not that I know of.

2 Q. In other words, you put everything
3 that you knew down in your EEOC charge?

4 A. Yes, sir, far as I can remember at
5 that time.

6 Q. One of the things that you wrote in
7 your EEOC charge is that some of the police
8 officers that the City of Eufaula hired had
9 domestic violence charges against them?

10 A. Yes, sir, that's correct.

11 Q. Which officers are those?

12 A. Well, I know that -- I spoke with one
13 former deputy sheriff, Captain Tim Marsh, that
14 he had beat his wife up and he had charges.
15 Matter of fact, he was one of the arresting
16 officers.

17 Q. Wait, let me make sure I'm getting
18 this clear. You're saying you spoke to a deputy
19 sheriff?

20 A. Former deputy sheriff.

21 Q. Former deputy sheriff. What was that
22 man's name?

23 A. Chauncey Woods.

1 Q. But you didn't confirm that before you
2 put that in your EEOC charge?

3 A. No, I didn't.

4 Q. Do you know of any other Eufaula
5 police officer that has ever had any domestic
6 violence charges against them?

7 A. I believe it's Sergeant Nadine Brown.

8 Q. Sergeant Nadine Brown. That's a
9 woman?

10 A. Yes.

11 Q. Let me ask you this. Is Captain Marsh
12 a black male or a white male?

13 A. White.

14 Q. White male. Is Sergeant Brown black
15 or white?

16 A. White female.

17 Q. White female. And what do you know
18 about Sergeant Brown?

19 A. Oh, I know a lot. I remember when I
20 was living in Clayton they had so -- her and her
21 husband had so many fights that it actually went
22 in the papers. And I've been looking for that
23 and I will find that article. That they was

1 tired of going out there, there was so many.

2 Q. Was she arrested?

3 A. I'm sure she was.

4 Q. You don't know that for sure?

5 A. I don't know that for sure.

6 Q. What law enforcement agency would have
7 arrested Sergeant Nadine Brown?

8 A. Barbour County Sheriff's Department.

9 Q. So I can look to the Barbour County
10 Sheriff's Department to see if that ever
11 happened?

12 A. Yes.

13 Q. Sergeant Nadine Brown, do you know how
14 old she is?

15 A. No, I don't.

16 Q. And since you don't know for sure that
17 she was arrested, you wouldn't know for sure
18 whether she was ever arrested of domestic
19 violence either?

20 A. No, I don't.

21 Q. Anybody else at the Eufaula Police
22 Department that you have some information that
23 leads you to believe that they have ever been

1 these conversations in Midland City?

2 A. No, I wasn't.

3 Q. Okay. You've heard that Dexter
4 Hammond had a robbery charge as a juvenile?

5 A. Many. Not one, many.

6 Q. Many robbery charges as a juvenile,
7 right?

8 A. Yes.

9 Q. Okay. You don't have any documents to
10 prove that?

11 A. No, I don't. They hush everything up
12 in Barbour County if it deal with white peoples.

13 Q. Besides Captain Marsh, Sergeant Brown,
14 and Dexter Hammond, do you have any information
15 concerning any other Eufaula --

16 A. Yes, there's a lady by the name of
17 Terri. I can't think of her last name. I want
18 to say Owens, but I don't want to be for sure.
19 I don't want to be -- don't quote me on that.
20 That has been in trouble constantly, domestic
21 violence with the husband, since she's been
22 working with the Eufaula Police Department.

23 Q. Is she an officer?

1 name.

2 Q. Can you provide that to Mr. Newman
3 so --

4 A. Yes, I can.

5 Q. -- he can provide that to me?

6 A. Yes, I can.

7 Q. All right. Any other present or
8 former Eufaula employee that you know of or
9 believe has been arrested?

10 A. Keith Bongay (spelling), I'm not sure
11 that he was been arrested. I'm not sure about
12 that. But I know he did get into some trouble
13 with Eufaula and resigned, and Eufaula hired him
14 back recently.

15 Q. Do you know anything about that
16 firsthand?

17 A. All -- firsthand?

18 Q. Right.

19 A. No, I don't. Like I say, it's between
20 us, the police officers. I did speak to some
21 officers about it and I was told that the file
22 was sealed, and if you go in the file that they
23 would know that you have accessed it.

1 Q. Any other Eufaula officer, either
2 present or former, that you have reason to
3 believe has been arrested?

4 A. That's all, but I intend to look for
5 more to see if I can find out more.

6 Q. So you have given me the names of five
7 people?

8 A. Yes.

9 Q. And of those five people, these are
10 people that you have heard other people say that
11 they have been either arrested or in some kind
12 of trouble with the law?

13 A. That's correct.

14 Q. For these five people you do not have
15 any firsthand personal knowledge that any of
16 that information is actually true?

17 A. No, sir, at this time I do not.

18 Q. Do you know of any present or former
19 employee of the Eufaula police department that
20 has had 39 convictions?

21 A. No, I don't know.

22 Q. Do you know of any present or former
23 employee of the Eufaula Police Department that

1 has had 10 convictions?

2 A. I don't know.

3 Q. Do you know of any present or former
4 employee of the Eufaula Police Department that
5 has had five convictions?

6 A. I don't know.

7 Q. Do you have firsthand knowledge of any
8 present or former employee of the Eufaula Police
9 Department who has ever had even one conviction?

10 A. I don't know.

11 Q. You don't actually know how many
12 police officers the City of Eufaula hired after
13 you submitted your application?

14 A. No, sir, I don't.

15 Q. You don't know the names of any of
16 those officers?

17 A. No, I do not.

18 Q. You do not know the backgrounds on any
19 of those officers?

20 A. No, I don't.

21 Q. You do not know whether any of those
22 officers were certified or uncertified?

23 A. No, I don't. But I'm sure we can find

1 Q. You don't know if he was in a hurry?

2 A. No, I don't. No, he wasn't in a
3 hurry.

4 Q. Well, do you know what his plan -- his
5 schedules were for that day?

6 A. No. No, I don't.

7 Q. Nobody ever told you that your race --
8 let me ask it this way. Nobody from the City of
9 Eufaula Police Department ever told you that you
10 were not hired because you were black?

11 A. No.

12 Q. Do you know anyone else who applied
13 for a job at the City of Eufaula around the time
14 you did?

15 A. I don't know. You can pull the
16 applications and you will find out. I mean, you
17 will have to check that yourself. I don't know.

18 Q. I'm just trying to find out what you
19 know, Mr. Grubbs.

20 A. I don't know. I mean, I don't know if
21 applications --

22 Q. You didn't have a buddy that you went
23 in with?

1 A. Yes, I will.

2 Q. And he will tell me. As you sit here
3 today, you do not know of anybody who has had
4 multiple bad check convictions --

5 A. No, sir, I do not.

6 Q. Let me get it finished just so it will
7 read correctly. You personally do not know of
8 anyone who has multiple bad check convictions
9 who has applied to be a police officer at the
10 City of Eufaula and gotten hired?

11 A. I don't know. You can pull the
12 records and check.

13 Q. I just need you to stick --

14 A. Okay. I don't know.

15 Q. Okay. Let me ask it just so we are
16 clear on your testimony.

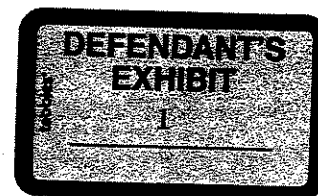
17 You do not know of anyone else who has
18 had multiple bad check convictions and has
19 applied to be a police officer with the City of
20 Eufaula and gotten hired?

21 A. Not that I know of.

22 Q. Have you understood all my questions
23 today?

LAWSUITS FILED BY AARON GRUBBS

1. Grubbs v. Transouth, Circuit Court of Barbour County, Clayton Division, Case Number CV-1989-32;
2. Grubbs v. (Unknown), Circuit Court of Barbour County, Clayton Division, Case Number CV-1991-80;
3. Grubbs v. United Casualty, Circuit Court of Barbour County, Clayton Division, Case Number CV-1992-42;
4. Grubbs v. Foremost, Circuit Court of Barbour County, Clayton Division, Case Number CV-1995-150;
5. Grubbs v. Ford Motor Credit, Circuit Court of Barbour County, Clayton Division, Case Number CV-1995-160;
6. Grubbs v. National Casualty, Circuit Court of Barbour County, Clayton Division, Case Number CV-1997-145;
7. Grubbs v. Pioneer Housing Systems, Circuit Court of Barbour County, Clayton Division, Case Number CV-1999-110;
8. Grubbs v. Town of Bakerhill, Circuit Court of Barbour County, Clayton Division, Case Number CV-2004-80;
9. Grubbs v. Gilland, Circuit Court of Barbour County, Clayton Division, Case Number CV-1998-36;
10. Grubbs v. Tharpe, Small Claims Court of Barbour County, Clayton Division, Case Number SM-1999-420;
11. Grubbs v. American Family Insurance, Circuit Court of Barbour County, Eufaula Division, Case Number CV-1988-66;
12. Grubbs v. Mercury Finance, Circuit Court of Barbour County, Eufaula Division, Case Number CV-1993-96;
13. Grubbs v. Kirby Company, Circuit Court of Barbour County, Eufaula Division, Case Number CV-1999-227;
14. Grubbs v. Foremost, Circuit Court of Barbour County, Eufaula Division, Case Number CV-2002-78;
15. Grubbs v. Jimmy Cochran, Circuit Court of Barbour County, Eufaula Division, Case Number CV-2004-232;
16. Grubbs v. Town of Louisville, United States District Court for the Middle District of Alabama, Case Number 2:04-cv-1025-F; and
17. Grubbs v. City of Eufaula, United States District Court for the Middle District of Alabama, Case Number 2:05-cv-604-F.



APPLICATION FOR EMPLOYMENT

City of Eufaula
Personnel Dept.
P.O. Box 219
Eufaula, AL 36072-0219
334-687-1206

We consider applicants for all positions without regard to race, color, religion, creed, gender, national origin, age, disability, marital or veteran status, or any other legally protected status.

(PLEASE PRINT)

Position(s) Applied For <u>Police officer</u>		Date of Application <u>10/13/04</u>
How Did You Learn About Us?		
<input type="checkbox"/> Advertisement	<input checked="" type="checkbox"/> Friend	<input type="checkbox"/> Inquiry
<input type="checkbox"/> Employment Agency	<input type="checkbox"/> Relative	<input type="checkbox"/> Other _____

Last Name <u>Grubbs</u>		First Name <u>Arnon</u>	Middle Name <u>Tr</u>
Address <u>5000 Rd 75</u>	Number <u>75</u>	Street <u>Eufaula</u>	City <u>9</u>
Telephone Number(s) <u>334-616-6034</u>		Social Security Number (voluntary) <u>416 96 9825</u>	State <u>Ala</u>
		Zip Code <u>36027</u>	

Best time to contact you at home is: 6:00 AM

If you are under 18 years of age, can you provide required proof of your eligibility to work?

☒ Yes ☐ No

Have you ever filed an application with us before?

☐ Yes ☒ No

If Yes, give date _____

Have you ever been employed with us before?

☐ Yes ☒ No

If Yes, give date _____

Do any of your friends or relatives, other than spouse, work here?

☐ Yes ☒ No

If Yes, state name, relationship and location _____

Are you currently employed?

☒ Yes ☐ No

May we contact your present employer?

☒ Yes ☐ No

Are you prevented from lawfully becoming employed in this country because of Visa or Immigration Status?

☐ Yes ☒ No

Proof of citizenship or immigration status will be required upon employment.

Date available for work 10/15/04 What is your desired salary range? _____

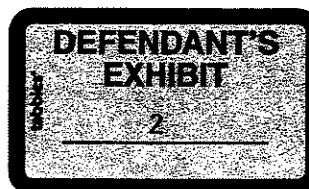
Are you available to work: ☒ Full Time (Please indicate 1 2 3 shift)
☐ Part Time (Please indicate Mornings Afternoon Evenings)
☐ Temporary (Please indicate dates available ____/____/____ - ____/____/____)

Are you currently on "lay-off" status and subject to recall?

☐ Yes ☒ No

Can you travel if a job requires it?

☒ Yes ☐ No



EDUCATION

School	Name and Address of School	Course of Study	No. Of Years Completed	Diploma / Degree
High School	CLAYTON HIGH - CLAYTON ALA	Math - KNS - SS - history	12	Diploma
Undergraduate College				
Graduate/ Professional				
Other (Specify)				

WORK EXPERIENCE

Start with your present or last job. Include any job-related military service assignments and volunteer activities. You may exclude organizations which indicate race, color, religion, gender, national origin, disabilities or other protected status.

Employer	Brundidge Police Dept.	Dates Employed		Work Performed
Address	115 North Main - Brundidge Ala.	From	To	
Telephone Number(s)	334-735-3333	4/3/64	Still working	Patrolman
Starting/Present Job Title	Patrolman	Hourly Rate/Salary		
Supervisor	Mose Davidson	Starting	Final	
Reason for Leaving	Still there	9:00 AM	9:00 AM	
		May We Contact		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Employer	Barbour Co. School	Dates Employed		Work Performed
Address	Clayton Ala.	From	To	
Telephone Number(s)	334-775-3545	8/2/96	4-10-2004	Bus driver
Starting/Present Job Title	School Bus driver	Hourly Rate/Salary		
Supervisor	LOO ROY STRAW	Starting	Final	
Reason for Leaving	Went in to police work -	1600 MT	1800 MT	
		May We Contact		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Employer	VICKERS AND SONS TRUCKING	Dates Employed		Work Performed
Address	Box 4 - Eufaula Ala.	From	To	
Telephone Number(s)		1992	1995	Mech.
Starting/Present Job Title	Truck Driver Mech.	Hourly Rate/Salary		
Supervisor	MAC K VICKER	Starting	Final	
Reason for Leaving	Went a better job.	1500	1800	
		May We Contact		<input type="checkbox"/> Yes <input type="checkbox"/> No
Employer		Dates Employed		Work Performed
Address		From	To	
Telephone Number(s)				
Starting/Present Job Title		Hourly Rate/Salary		
Supervisor		Starting	Final	
Reason for Leaving		May We Contact		

Comments: Include explanation of any gaps in employment.

NAME: _____

POSITION: _____

DATE: _____

Describe any specialized training, apprenticeship, skills and extra-curricular activities.*Police Academy.***Describe any job-related training received in the United States military.****List professional, trade, business or civic activities and offices held.***You may exclude membership which would reveal gender, race, religion, national origin, age, ancestry, disability or other protected status:***ADDITIONAL INFORMATION****Other Qualifications** *Summarize special job-related skills and qualifications acquired from employment or other experience.***SPECIALIZED SKILLS (Skills/Equipment Operated)**

<input type="checkbox"/> Terminal	<input type="checkbox"/> Spreadsheet	Production/Mobile Machinery (list)	Other (list)
<input type="checkbox"/> PC/MAC	<input type="checkbox"/> Word Processing	_____	_____
<input type="checkbox"/> Typewriter	<input type="checkbox"/> Shorthand	_____	_____
WPM _____	WPM _____	_____	_____

*State any additional information you feel may be helpful to us in considering your application.***Note to Applicants: DO NOT ANSWER THIS QUESTION UNLESS YOU HAVE BEEN INFORMED ABOUT THE REQUIREMENTS OF THE JOB FOR WHICH YOU ARE APPLYING.**Are you capable of performing in a reasonable manner, with or without a reasonable accommodation, the activities involved in the job or occupation for which you have applied? A review of the activities involved in such a job or occupation has been given. ___ YES ___ NO**PERSONAL/PROFESSIONAL REFERENCES**

Do not include family members or past supervisors.

Name	Phone Number	Best Time to Call	Occupation
1. DOLYN Bush.	687-9820	ANY TIME	Retired.
2. IREZ Bush.	687-9820	ANY TIME	Retired

APPLICANT'S STATEMENT

I certify that answers given herein are true and complete.

I authorize investigation of all statements contained in this application for employment as may be necessary in arriving at an employment decision.

This application for employment shall be considered active for a period of time not to exceed 45 days. Any applicant wishing to be considered for employment beyond this time period should inquire as to whether or not applications are being accepted at that time.

I hereby understand and acknowledge that, unless otherwise defined by applicable law, any employment relationship with this organization is of an "at will" nature, which means that the Employee may resign at any time and the Employer may discharge Employee at any time with or without cause. It is further understood that this "at will" employment relationship may not be changed by any written document or by conduct unless such change is specifically acknowledged in writing by an authorized executive of this organization.

In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge. I understand also, that I am required to abide by all rules and regulations of the employer.


Signature of Applicant

10/13/04
Date

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

A
☐ FEPA
☒ EEOC

CHARGE NUMBER

130-2005-01674

_____ and EEOC
 State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Aaron Grubbs Sr.

HOME TELEPHONE (Include Area Code)

(334) 616-6034

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

, 50 County Road 75

Eufaula, Alabama 36027

2-23-63

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE,
 STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE (Include Area Code)

City of Eufaula

15 plus

(334) 688-2000

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

P.O. Box 219

Eufaula, Alabama 36072-0219

Barbour

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE
EARLIEST LATESTNovember
2004☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

See attachment.

JAN 17 2006

DEFENDANT'S
EXHIBIT

3

☐ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

Aaron Grubbs

Date 1-6-2005

Charging Party (Signature)

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Aaron Grubbs

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (Day, month, and year)

I am a black male resident of the Middle District of Alabama (Barbour County) and over 19 years. In November 2004, I spoke to Captain Bobby Gilbert of the Eufaula Police Department and he advised me to formally apply for a job as a police officer; he indicated they needed 10 to 12 officers. I completed the application and gave to the person who handled these. Much time passed and I didn't hear back so I called. I discovered that several white men were hired as police officers and that none were certified; I am certified. Moreover, some of those hired had Domestic Violence Charges against them.

I believe that I was not hired because I am a black male. I believe that my race made the City of Eufaula treat my application differently.

